

COMPLAINT

(for filers who are prisoners without lawyers)

U.S. DISTRICT COURT
EASTERN DISTRICT-WI
FILED

2018 SEP 24 P 3:19

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
STEPHEN C. DRIES
CLERK

(Full name of plaintiff(s))

Roy Scott Anderson

v.

(Full name of defendant(s))

Michael Seeger
Officer-Melby

Case Number:

18-C-1498

(to be supplied by Clerk of Court)

A. PARTIES

1. Plaintiff is a citizen of WI, and is located at
(State)

P.O. Box 900 Waupun, WI 53963
(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper.)

2. Defendant Michael Seeger & Officer Melby
(Name)

is (if a person or private corporation) a citizen of WI
(State, if known)

and (if a person) resides at _____
(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for City of Racine Police Department
(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

The plaintiff Roy Anderson is an inmate at
John Burke Correctional Center, in Waupun
WI. On Sept. 22, 2012, at about 8:55 p.m.
Plaintiff exited the back door of his resid-
ence at 955 Washington Ave. Racine, WI.
Plaintiff joined his two friends (Willie
Dean + Joseph Sanders) on the sidew-
alk directly behind the residence. Dean and
Sanders informed Plaintiff that a police
car had just stopped and pulled away.

Attachment (a)

Plaintiff walked with Dean to the front of building - Dean entered the building to go to his apartment - As Plaintiff was walking back along the side of the building Officer Seeger drove his squad car up & over the curb onto the sidewalk just feet away from Plaintiff with the squad cars high-beam headlights pointed directly on Plaintiff - Plaintiff took a few steps backwards into the grass directly against the building - At this time the officers (while in full uniform with guns visible) rapidly approached Plaintiff with one at each side of Plaintiff and the squad car directly in front of Plaintiff - At this point and due to the officers conduct, Plaintiff dropped the pill bottle containing the drugs onto the ground - At this point Officer Melby grab-

Continued on attached pages

Attachment (b)

bed Plaintiff's arm while Officer Seeger simultaneously questioned and frisk Plaintiff - At this point Officer Seeger ask Plaintiff if he could search his pockets - Plaintiff refused Seeger's request to search his pockets - At this point Seeger immediately began to search Plaintiff's pockets, all while Officer Melby held onto Plaintiff's arm - After that search, Officer Melby released Plaintiff's arm and searched the grassy area with the aid of his flashlight and discovered the pill bottle containing the drugs - At this point the officers arrested Plaintiff for possession with intent to deliver cocaine.

Anderson seeks damages from Seeger and Melby for violating his Fourth Amendment rights guaranteed to him by the United States Constitution because the officers without a warrant, a reasonable belief of criminal activity, consent, or a violation of Racine City Ordinance 66-107, initiated the investigative stop & stopped Plaintiff, frisk Plaintiff for weapons, searched Plai-

Attachment (6)

ntiff's person(pockets) and arrested Plaintiff and/or failed to intervene to prevent the other officer from stopping, searching and arresting Plaintiff, all contrary to Fourth Amendment protections.

C. JURISDICTION



I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR



I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$_____.

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

Grant damage award to plaintiff:

Compensatory and punitive

E. JURY DEMAND

I want a jury to hear my case.

☒ - YES

☐ - NO

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 18 day of September 20 18.

Respectfully Submitted,

Roy G. Anderson
Signature of Plaintiff

150615
Plaintiff's Prisoner ID Number

John Burke Correctional Center
P.O. Box 900 Waupun, WI 53963
(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper.)

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FULL FILING FEE

☒ I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a Request to Proceed in District Court without Prepaying the Full Filing Fee form and have attached it to the complaint.

☐ I DO NOT request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.